

This **Legal Notice of Right To Do Citizen Arrest** is to inform law enforcement of the **American People's Right To Do Citizen Arrest**. Further it is to inform all law enforcement of the American people's right to arrest law enforcement and public officials who are committing crimes in office.

This **Legal Notice** is back by Ind. Code Ann, with AMERICAN JURISPRUDENCE, & CORPUS JURIS SECUNDUM which are **quoted as the authority in Courtrooms across the United States**.

This **Legal Notice** is not intended to be a form of intimidation towards law enforcement, instead it is intended as an educational tool to warn officers of the lies pushed by lawyers, who regularly dupe police officers into violating the law by misrepresenting the law, a crime in itself; often done for the financial gain of the lawyers.

One of the ways in which these lawyers are misrepresenting the law, is by claiming AMERICAN JURISPRUDENCE, & CORPUS JURIS SECUNDUM are merely legal encyclopedias that have no authority in law.

A Second 2nd. form of the lawyers misrepresenting the law is the very inaccurate representations of the application of Motor Vehicle laws. See: LEGAL NOTICE TO SHERIFFS AND ALL LAW ENFORCEMENT to get the true application of the Motor Vehicle laws these lawyers have lied about. The truth is revealed with AMERICAN JURISPRUDENCE, & CORPUS JURIS SECUNDUM which are quoted as the authority in Courtrooms across the United States. See: AMERICAN LAW REPORTS, AMERICAN JURISPRUDENCE, CORPUS JURIS SECUNDUM Fact sheet-HR.

A third 3rd. form in which the law is misrepresented is the administrative process itself. Wherein even law enforcement themselves along with the American people, are hauled in front of an individual who fraudulently claims to be a Judge in a Court. When in reality They are an Administrative Hearing officers/Administrative law Judge who isn't a Judicial Officer who cannot look at or uphold even one of the law enforcement-officers, or American peoples' Constitutional protections. An Administrative Hearing officers/Administrative law Judge is no closer to being a Judge than the law

enforcement officers, or American people who are fraudulently summoned to stand before them.

Further that alleged Court the law enforcement officers, and American people were summoned to, in reality is an Administrative Tribunal not a Court and it is barred from the powers to review the constitutionality of any issue and is not authorized to consider or question the constitutionality of a legislative act or to declare unconstitutional statutes which it was created to administer and enforce. This fraud of the lawyers is so immense it is hard for one to accept and believe it's happening. See: Legal Notice of Hierarchy of Constitutional Law on Constitutionality of Administrative procedures & why administrative tribunals are Unconstitutional. (To read the true facts)

Laws for which officials may be arrested include but are not limited to:

(IC 23-19-5-5) Filing false: or misleading statements.

FALSIFICATION OF DOCUMENTS 18 USC 1001 In particular, this law bans three types of lies: (1) Hiding a material Fact; (2) making a false statement; and (3) using a false writing. [*United States v. Rodriguez-Rios*](#), 14 F.3d 1040, 1044 (5th Cir. 1994). Prosecutors use this law in a variety of ways.

5 USC § 3331 - Oath of office as it is a quid pro quo contract, cf U.S. Const. Art. 6, Clauses 2 and 3, Davis Vs. Lawyers Surety Corporation., 459 S.W. 2nd. 655, 657., Tex. Civ. App. in which clerks, officials, or officers, of the government pledge; to perform, (Support, and uphold, the United States, and state Constitutions). VIOLATION OF OATH OF OFFICE 18 USC 3571

Title 18 sect 2381 – Capitol Felony Treason: “In the presents of two or more witnesses of the same overt act, or in a open court of law, if you fail to timely move to protect and defend the Constitution of the United States and honor your oath of office, you are subject to the charge of capital felony treason.”

RACKETEERING (Criminal) 18 USC 1963

42 U.S. CODE§3617-INTERFERENCE, COERCION, OR INTIMIDATION

10 U.S. CODE § 927-ART.127. EXTORTION

18U.S. CODE§880- RECEIVING THE PROCEEDS OF EXTORTION

10 U.S. CODE§333-INTERFERENCE WITH STATE AND FEDERAL LAW

25CFR11.448-ABUSE OF OFFICE.

18U.S. CODE § 3-ACCESSORY AFTER THE FACT

MISPRISION OF FELONY 18 USC § 4

PERJURY 18 USC §1621

SUBORNATION OF PERJURY 18 USC §1622

These are but a few of the laws for which the American people have a right to arrest law enforcement and public officials who are committing crimes in office.

Violations of the Hobbs Act See: *Evans v. United States*, 504 U.S. 255

Supreme Court of the United States December 9, 1991, Argued ; May 26, 1992, Decided No. 90-6105 citing the following

Congress has unquestionably expanded the common-law definition of extortion to include acts by private individuals pursuant to which property is obtained by means of force, fear, or threats. It did so by implication in the Travel Act, 18 U. S. C. § 1952, see *United States v. Nardello*, 393 U.S. 286, 289-296, 21 L. Ed. 2d 487, 89 S. Ct. 534 (1969), and expressly in the Hobbs Act. The portion of the Hobbs Act that is relevant to our decision today provides:

Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined not more than \$ 10,000 or imprisoned not more than twenty years, or both.

"(b) As used in this section --

"(2) The term 'extortion' means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right." 18 U. S. C. § 1951.

The present form of the statute is a codification of a 1946 enactment, the Hobbs Act, 8Link to the text of the note which amended the federal Anti-Racketeering Act. 9Link to the text of the note In crafting the 1934 Act, Congress was careful not to interfere with

legitimate activities between employers and employees. See H. R. Rep. No. 1833, 73d Cong., 2d Sess., 2 (1934). The 1946 amendment was intended to encompass the conduct held to be beyond the reach of the 1934 Act by our decision in *United States v. Teamsters*, 315 U.S. 521, 86 L. Ed. 1004, 62 S. Ct. 642 (1942).

The two courts that have disagreed with the decision to apply the common-law definition have interpreted the word "induced" as requiring a wrongful use of official power that "begins with the public official, not with the gratuitous actions of another." *United States v. O'Grady*, 742 F.2d at 691; see *United States v. Aguon*, 851 F.2d at 1166 ("'inducement' can be in the overt form of a 'demand,' or in a more subtle form such as 'custom' or 'expectation'"). If we had no common-law history to guide our interpretation of the statutory text, that reading would be plausible. For two reasons, however, we are convinced that it is incorrect.

First, we think the word "induced" is a part of the definition of the offense by the private individual, but not the offense by the public official. In the case of the private individual, the victim's consent must be "induced by wrongful use of actual or threatened force, violence or fear." In the case of the public official, however, there is no such requirement. The statute merely requires of the public official that he obtain "property from another, with his consent, . . . under color of official right." The use of the word "or" before "under color of official right" supports this reading.

]Second, even if the statute were parsed so that the word "induced" applied to the public officeholder, we do not believe the word "induced" necessarily indicates that the transaction must be initiated by the recipient of the bribe. Many of the cases applying the majority rule have concluded that the wrongful acceptance of a bribe establishes all the inducement that the statute requires. They conclude that the coercive element is provided by the public office itself. And even the two courts that have adopted an inducement requirement for extortion under color of official right do not require proof that the inducement took the form of a threat or demand. See *United States v. O'Grady*, 742 F.2d at 687; *United States v. Aguon*, 851 F.2d at 1166.

We reject petitioner's criticism of the instruction, and conclude that it satisfies the quid pro quo requirement of McCormick v. United States, 500 U.S. 257, 114 L. Ed. 2d 307,

111 S. Ct. 1807 (1991), because the offense is completed at the time when the public official receives a payment in return for his agreement to perform specific official acts; fulfillment of the quid pro quo is not an element of the offense. We also reject petitioner's contention that an affirmative step is an element of the offense of extortion "under color of official right" and need be included in the instruction. As we explained above, our construction of the statute is informed by the common-law tradition from which the term of art was drawn and understood. We hold today that the Government need only show that a public official has obtained a payment to which he was not entitled, knowing that the payment was made in return for official acts.

Our conclusion is buttressed by the fact that so many other courts that have considered the issue over the last 20 years have interpreted the statute in the same way. Moreover, given the number of appellate court decisions, together with the fact that many of them have involved prosecutions of important officials well known in the political community, it is obvious that Congress is aware of the prevailing view that common-law extortion is proscribed by the Hobbs Act. The silence of the body that is empowered to give us a "contrary direction" if it does not want the common-law rule to survive is consistent with an application of the normal presumption identified in *Taylor and Morissette*.

It contends that common-law extortion was limited to wrongful takings under a false pretense of official right. *Post*, at 279-280; see *post*, at 281 (offense of extortion "was understood . . . [as] a wrongful taking under a false pretense of official right") (emphasis in original); *post*, at 282. It is perfectly clear, however, that although extortion accomplished by fraud was a well-recognized type of extortion, there were other types as well. As the court explained in *Commonwealth v. Wilson*, 30 Pa. Super. 26 (1906), an extortion case involving a payment by a would-be brothel owner to a police captain to ensure the opening of her house:

"The form of extortion most commonly dealt with in the decisions is the corrupt taking by a person in office of a fee for services which should be rendered gratuitously; or when compensation is permissible, of a larger fee than the law justifies, or a fee not yet due; but this is not a complete definition of the offense, by which I mean that it does not include every form of common-law extortion." *Id.*, at 30.

See also Commonwealth v. Brown, 23 Pa. Super. 470, 488-489 (1903) (defendants charged with and convicted of conspiracy to extort because they accepted pay for obtaining and procuring the election of certain persons to the position of schoolteachers); State v. Sweeney, 180 Minn. 450, 456, 231 N.W. 225, 228 (1930) (alderman's acceptance of money for the erection of a barn, the running of a gambling house, and the opening of a filling station would constitute extortion) (dicta); State v. Barts, 132 N.J.L. 74, 76, 83, 38 A.2d 838, 841, 844 (Sup. Ct. 1944) (police officer, who received \$ 1,000 for not arresting someone who had stolen money, was properly convicted of extortion because "generically extortion is an abuse of public justice and a misuse by oppression of the power with which the law clothes a public officer"); White v. State, 56 Ga. 385, 389 (1876) (If a ministerial officer used his position "for the purpose of awing or seducing" a person to pay him a bribe that would be extortion).

Authority for Citizens Arrest

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Ind. Code Ann. § 35-33-1-4 CITIZENS' ARREST. Which Reads:

(a) Any person may arrest any other person if:

- (1) The other person committed a felony in his presence;
 - (2) A felony has been committed and he has probable cause to believe that the other person has committed that felony; or
 - (3) A misdemeanor involving a breach of peace is being committed in his presence and the arrest is necessary to prevent the continuance of the breach of peace.
- (b) A person making an arrest under this section shall, as soon as practical, notify a law enforcement officer and deliver custody of the person arrested to a law enforcement officer.
- (c) The law enforcement officer may process the arrested person as if the officer had arrested him. The officer who receives or processes a person arrested by another under this section is not liable for false arrest or false imprisonment.

HISTORY IC 35-33-1-4, as added by Acts 1981, P.L.298, § 2; 1982, P.L.204, § 7.

Private persons are justified in arresting persons without a warrant only on information that a felony has been committed; however, if the arrest is made only on probable cause or suspicion, the private person makes the arrest at his peril unless the

person arrested is actually guilty of the charge. Doering v. State, 49 Ind. 56, 1874 Ind. LEXIS 454 (Ind. 1874).

A private citizen may generally use force that is reasonable under the circumstances,⁴ the determination of which is left for the jury.⁵ For example, a store employee may reasonably use force to prevent theft,⁶ including detaining the customer.⁷ However, a citizen's right to use force may be limited to cases where the suspect has committed an offense in the citizen's presence,⁸ or has committed a felony.

Further every public officer has a duty of care held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [To help in keeping such Arrest as peaceful as possible when the aid of the officer is requested]. **63C Am.Jur.2d, Public Officers and Employees, §247** "As expressed in: Indiana State Ethics Comm'n v Nelson (Ind App) 656 NE2d 1172, reh gr (Ind App) 659 NE2d 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

At common law, a private person can arrest without warrant for a felony¹ or breach of the peace² committed in his or her presence. The "in presence" requirement is met if the arrestor observes acts that are in themselves sufficiently indicative of a crime in the course of commission.³ It is the right and duty of a private person to apprehend one who has committed a felony in his or her presence, either at the time of its commission or upon immediate pursuit.⁴ A private person could also justify the apprehension of another by showing that it was necessary in order to prevent the perpetration of a felony. ⁵ Where an offense is a felony actually committed in the presence of a private person, such person may, under some statutes, arrest any person he or she has reasonable ground to believe guilty.⁶ Actual knowledge of the commission of the felony is not required to authorize a valid citizen's arrest, as all that is required is reasonable grounds to believe that (1) a felony had been committed, and (2) that the person arrested was the responsible agent.⁷ In some jurisdictions, a private person may arrest for any misdemeanor committed in his or her presence. ⁹ However, under the common law rule, which is codified in some states, such arrests can be made only for a misdemeanor constituting a breach of the peace.¹⁰ A private person's right to arrest for an affray or breach of the peace exists only while it is continuing, ¹¹ or

immediately after it has been committed,¹² or while there is a continuing danger of its renewal, and does not include the right to pursue and arrest for the purpose of insuring the apprehension or future trial of the offender. ¹³ A private citizen cannot arrest without a warrant for a misdemeanor previously committed unless pursuit for the purpose of arrest is begun immediately.¹⁴ **5 Am. Jur. 2d Arrest § 48. Warrantless arrest by private person for criminal offense committed in person's presence.**

An arrest by a private citizen is not a government action, for Fourth Amendment purposes, where the citizen is not acting pursuant to instructions from the police.¹ Thus, although the degree of force that is permitted for a police officer is governed by the Fourth Amendment,² a private citizen's authority to use force to arrest an individual is found in the state's common law, or may be provided by statute.³ A private citizen may generally use force that is reasonable under the circumstances,⁴ the determination of which is left for the jury.⁵ For example, a store employee may reasonably use force to prevent theft,⁶ including detaining the customer.⁷ However, a citizen's right to use force may be limited to cases where the suspect has committed an offense in the citizen's presence,⁸ or has committed a felony.⁹ In some jurisdictions, the use of force to effectuate a citizen's arrest for misdemeanor conduct may properly be made only when that conduct amounts to actual violence or the imminent threat of actual violence toward person or property.¹⁰ In some jurisdictions, a private citizen may not use deadly force unless he or she or another person is threatened with serious bodily injury,¹¹ or the imminent use of deadly physical force.¹² Deadly force in effecting a citizen's arrest may also be limited to either self-defense or situations in which it is necessary to prevent a forcible felony.¹³ Under other authority, a private citizen has, under the state's common law, generally the same right to use deadly force in apprehending a felon as a peace officer has.¹⁴ A private person may use deadly force when necessary to prevent the escape of a fleeing felon, in some states, ¹⁵ if he or she uses reasonable means to effect the arrest.¹⁶ However, it has also been held that an individual, such as a shopkeeper, must first try to restrain the individual, and may not simply shoot the fleeing individual.¹⁷ A state may also require a person to be in fresh pursuit and give notice of his or her purpose to arrest for the felony before using deadly force. ¹⁸ A private person who kills another person whom he or she merely intends to wound in order to prevent

the person's escape may be held criminally responsible in the absence of his or her legal authority to make the arrest.¹⁹ Thus, a person who acts on a suspicion that a felony has been committed in killing a fleeing felon act at his or her own peril.²⁰ **5 Am. Jur. 2d Arrest § 86. Use of force by private person to make arrest.**

Every police Officer should also know the law. As a general rule, a warrant of arrest has no effect beyond the territorial jurisdiction of the authority by which it was issued and may not be executed by an officer beyond the territory to which his or her authority pertains.¹ Thus, in the absence of statutory authority, an arrest may not be made under a warrant outside the territorial jurisdiction of the court or magistrate issuing it, and a person making an arrest outside such territorial jurisdiction has no privilege to do so.³ When an officer is outside his jurisdiction, he does not possess any greater right to arrest than the right given to private citizens⁴ to make a warrantless citizen's arrest.⁵ **5 Am. Jur. 2d Arrest § 27. Territorial extent of power to arrest with warrant in criminal cases, generally.**

AMERICAN LAW REPORTS, AMERICAN JURISPRUDENCE, CORPUS JURIS SECUNDUM Fact sheet-HR Reads:

The Am Jur family of products provides you with fast, authoritative answers to any aspect of civil, criminal, substantive, and procedural law. Corpus Juris Secundum is a comprehensive legal encyclopedia containing over 400 topics that are cited and **quoted as authority in Courtrooms across the United States**. In each article, the broad principles of the law are explained and put into context, so you know how (they=the laws) are applied by lawyers and the Courts.

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Since "American [J]urisprudence [is] a comprehensive text statement of American case law, as developed in the cases and annotations in the annotated reports system, being a rewriting of Ruling [C]ase [L]aw to reflect the modern developments of the law." It is clearly far more than just an encyclopedia, and American jurisprudence is

defiantly a source of binding authority! American jurisprudence is defiantly a source of binding authority on the Congress and all of its members, as well as the President of the United States,¹¹ all state¹² and federal officials, and all state and federal courts and judges¹³ are as bound by the United States Constitution & Constitutional Law as are ordinary citizens. 16 Am. Jur. 2d Constitutional Law § 6 2021 Update.

This would include all public officials, Sheriffs and all law enforcement, are bound by the United States Constitution & Constitutional Law.

Further every public officer has a duty of care held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer to uphold the United States and state Constitution, and Constitutional Law, every public officer's oath creates a legal obligation.

In tort law, a **duty of care** is a legal obligation, which is imposed on an individual requiring adherence to a standard of reasonable care while performing any acts that could foreseeably harm others.

63C Am.Jur.2d, Public Officers and Employees, §247 "As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. Indiana State Ethics Comm'n v Nelson (Ind App) 656 NE2d 1172, reh gr (Ind App) 659 NE2d 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

Further every public officer who refuses to uphold the United States and state Constitution, and Constitutional Law, Violates 5 U.S.C. § 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States, or State Government (including members of Congress) to "advocate the overthrow of our constitutional form of government. "We (judges) & officials have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would-be treason to the Constitution." -- Cohen v. Virginia, (1821), 6 Wheat. 264 and U.S. v. Will, 449 U.S. 200.

An official would also be in violation of 25CFR11.448-ABUSE OF OFFICE, & VIOLATION OF an official's OATH OF OFFICE 18 USC 3571.

Legal Notice of Right To Do Citizen Arrest

When a public officer refuses to uphold the United States and state Constitution, and Constitutional Law, he/she usurps authority which is not given, and It is Treason to the Constitution." -- Cohen v. Virginia, (1821), 6 Wheat. 264 and U.S. v. Will, 449 U.S. 200.

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